

**MINUTES OF A REGULAR MEETING OF
THE BOARD OF DIRECTORS OF THE
HARDIN COUNTY WATER CONTROL & IMPROVEMENT DISTRICT NO. 1**

A regular meeting of the Board of Directors of the Hardin County Water Control & Improvement District No. 1 was held on Tuesday, June 21, 2022, pursuant to notice duly posted in accordance with law. The meeting was held at 333 Commercial Drive, Hardin County, Texas. The following members of the Board were present:

Buddy Hughes

Ben Fox

Tim Jones

Allen Davis

Jack Maddox

Also present were Marty Adams and Larry Davenport of Utility Specialties and Guy N. Goodson of Germer PLLC as legal counsel to the District.

AGENDA ITEM NO. 1: Call to Order. A quorum being present, the meeting was called to order by Board President Maddox at 6:30 p.m.

AGENDA ITEM NO. 2: Board reorganization. Legal counsel noted that following each election cycle, the Board reconstitutes its officers. After discussion and upon motion duly made by Director Jones and seconded by Director Fox, the Board unanimously reinstated the current Board officers.

AGENDA ITEM NO. 3: Public Comments. None.

AGENDA ITEM NO. 4: Minutes. The minutes of May 17, 2022 were unanimously approved upon motion duly made by President Maddox and seconded by Director Hughes.

AGENDA ITEM NO. 5: Manager's Report.

(a) Operational Report:

The Board recognized Marty Adams and Larry Davenport who reviewed the Operating Report of June 21, 2022 noting that Utility Specialties had responded to 21 grinder calls, outlined the water pumpage at Well #1 and Well #2, made seven line locates, responded to three brown water calls, met Third Coast for the TCEQ required water sampling and repaired a broken discharge line to the force main on Pine Needles. Mr. Davenport stated they had been called out on a sewer overflow to resident's house, changed the check valve at the tank, returned and dug up and changed the check valve at the main. It was noted Utility Specialties had three (3) panels and three (3) pumps in inventory. President Maddox noted from the bills to be paid the District had acquired five (5) pumps and three (3) panels, including 21 float switches. After discussion and upon motion duly made by President Maddox and seconded by Director Hughes, the Operator's Report was approved as presented.

AGENDA ITEM NO. 6: Receive committee report on proposals for engineering services.

President Maddox indicated the members of the Board Committee were asked to review the request for proposal for engineering services. President Maddox presented his engineering recommendation report of June 14, 2022 and advised LJA Engineering had received a total combined score of 298 points, Whiteley Oliver had received a total score of 300 points and Arceneaux, Wilson & Cole received a total score of 275 points. It was concluded by President Maddox that the committee recommendation of Whiteley Oliver be qualified as the engineer of record, and a discussion followed.

AGENDA ITEM NO. 7: Select engineers for the District. After discussion and upon motion duly made by President Maddox and seconded by Director Hughes, the Board unanimously authorized the qualification and selection of Whiteley Oliver as the engineer of record for the District.

AGENDA ITEM NO. 8: Authorize negotiation of engineering services agreement. The Board recognized legal counsel who indicated based on the qualifications and selection of the most qualified engineer, the next step would be for the District to request from Whiteley Oliver an engineering services agreement. After discussion and upon motion duly made by Director Jones and seconded by Director Fox, the Board unanimously authorized President Maddox and legal counsel to request and approve for presentation to the Board an engineering services agreement with Whiteley Oliver.

AGENDA ITEM NO. 9: Monthly Financial Statements. President Maddox presented the accounting statement dated June 21, 2022 from PNC Bank. The accounting statement noted a tap fee at 170 Woodmanor, service fees of \$22,372.89 and the quarterly fee from Cable One in the amount of \$1,177.75 for a total of revenues for the month of \$28,550.64. After presentation and upon motion duly made by Director Hughes and seconded by President Maddox, the monthly financial statements were approved as presented.

AGENDA ITEM NO. 10: Accounts Payable. The acquisition of equipment from Automatic Pump was discussed, and Liz Will noted a number of returned checks and reinstatement of utility services. After discussion and upon motion duly made by President Maddox and seconded by Director Fox, the Board unanimously approved the accounts payable in the amount of \$33,118.65.

AGENDA ITEM NO. 11: Correspondence. With Mr. Turk being absent, there was no correspondence.

AGENDA ITEM NO. 12: Comments from Board Members. President Maddox stated that while he understood the Board's consideration and agreement to provide service, if possible, to the address at Woodcrest, issues may arise as to whether the District's system could accommodate the sewer service based on pumpage issues. President Maddox also stated once it was determined what

services could be provided through this property outside the District, a presentation would be provided on the calculation of the additional fee provided for by the Water Code for services outside the District to account for a payment for debt service requirements. President Maddox stated they would attempt to determine these matters before the next Board meeting. President Maddox then discussed main line issues at Woodcrest and Woodmanor and the request to provide the services. President Maddox noted the District could acquire these services on a time material basis or a lump sum contract. After advising the Board on conversations with Utility System Operator President, he felt it was best for the Board to simply proceed on a time and materials basis and not commit to a fixed fee contract. President Maddox stated he would have this matter for Board action at a subsequent meeting. President Maddox also discussed the Board's financing and future projects as well as the District's M&O tax levy and limitations by recent legislative changes. President Maddox stated adjacent to the lots recently donated by Pinewood Joint Venture, a request had been made to Hardin County to abandon the right-of-way for the previously platted roadway adjacent to these lots. President Maddox stated he was coordinating with the County Attorney's Office on any required action or hearings necessary for the Commissioner's Court and would advise the Board of the County requirements before executing an abandonment of the right-of-way.

AGENDA ITEM NO. 13: Adjourn. There being no further business, the meeting was adjourned at 7:20 p.m.

President of the Board

ATTEST:

Secretary of the Board